

SOUTHERN

United States District Court
DISTRICT OF

United States District Court
Southern District of Texas

JAN 25 2011

UNITED STATES OF AMERICA
V.

David J. Bradley, Clerk

CRIMINAL COMPLAINT

CASE NUMBER: *M-11-0143-M*

1. Jesus Manuel TORRES-Sarabia
YOB: 1983 MX Citizen
2. Juan Carlos TORRES-Sarabia
YOB: 1987 MX Citizen
3. Christian TORRES-Sarabia
YOB: 1990 MX Citizen
4. Mauricos TORRES-Lopez Jr.
YOB: 1985 MX Citizen
(2/1/2011 cr)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 24, 2011 in Starr County, in the Southern District of Texas defendant(s) did, knowingly

Conspire and agree to intentionally possess with the intent to distribute approximately 540.1 kilograms / 1,190.8 pounds of marijuana, a controlled substance listed under Schedule I, of the Controlled Substance Act

In violation of Title 21 United States code, Section(s) 841 & 846.

I further state that I am a(n) U.S. Immigration and Customs Enforcement Special Agent and that this complaint is based on the following facts:

SEE ATTACHMENT A

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ No

approved P. Riquero, AUSA 1/25/11


Signature of Complainant
Brandon Wargo, Special Agent
U.S. Immigration and Customs Enforcement

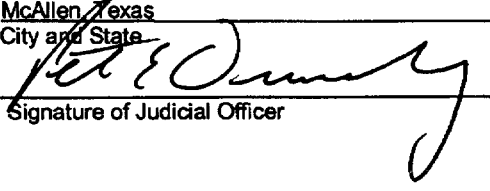
Sworn to before me and subscribed in my presence,

January 25, 2010
Date

at

McAllen, Texas
City and State

Peter E. Ormsby, U.S. Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

ATTACHMENT A

Before the United States Magistrate Judge, Southern District of Texas, I, J. Brandon Wargo, Special Agent, U.S. Immigration and Customs Enforcement, being duly sworn, depose and say the following:

On January 24, 2010, ICE Special Agents received information that a house located at 562 Vanessa Avenue in Roma, Texas was being used to store large quantities of narcotics. Based on the aforementioned information ICE Special Agents, assisted by the Starr County Sheriffs Office Interdiction Team and the Roma, Texas Police Department proceeded to the residence in order to conduct a consensual search of the property.

After arriving at the residence SA Wargo made contact with Jesus Manuel TORRES-Sarabia, who identified himself as the owner of the two buildings located on the property. TORRES subsequently provided SA Wargo with written permission to search the buildings and vehicles located on the property.

A search of the Northern most building revealed twenty (20) bundles of compressed marijuana weighing approximately 129.8 kilograms / 286.2 pounds. The marijuana was located in every room of the house in various size bags, bricks and containers. In the residence Special Agents also located materials used to repackage marijuana including a scale, cellophane wrap and packing tape.

A search of the Southern most residence revealed fifty-seven (57) bundles of compressed marijuana weighing approximately 410.3 kilograms / 904.6 pounds. The marijuana was located in every room of the residence in various size bags, bricks, and containers. In the Eastern most bedroom Special Agents located marijuana which had been repackaged for individual sale. While Special Agents were clearing the residence two individuals later identified as Juan Carlos TORRES-Sarabia and Christian TORRES-Sarabia attempted to flee through an open window at the rear of the residence. Juan Carlos TORRES and Christian TORRES were apprehended by Special Agents and Officers as they fled from the scene. While attempting to flee Christian TORRES dropped a bag of marijuana and Juan Carlos TORRES threw a bag containing marijuana over a near by fence. A search of Juan Carlos TORRES revealed approximately \$3,000 in United States currency and a bag of marijuana concealed in his front pocket. Another male Mauricos TORRES-Lopez was detained at the front of the residence.

Jesus TORRES was subsequently transported to the Roma Police Department for questioning. At the Police Department SA Wargo advised TORRES of his Miranda Rights in the English language as witnessed by ICE TFO I. Guerra. TORRES

acknowledged his rights, which he voluntarily waived for purposes of interview by signing a written waiver. During the interview TORRES stated the following to SA Wargo:

-TORRES stated he takes responsibility for all of the narcotics recovered at the residence.

-TORRES stated he was offered \$5 per pound by an unnamed individual to store the narcotics at his residence. TORRES stated he has not been paid and is owed approximately \$1,000 - \$2,000.

-TORRES stated he knew the packages in the residence contained marijuana.

-TORRES stated his younger brother, Christian TORRES, would sell marijuana out of the back room of the residence.

-TORRES stated both Christian TORRES and Juan Carlos TORRES assisted in storing the marijuana at the residence.

-TORRES stated he has been storing narcotics on the property for approximately one week.

-TORRES stated he did not want to tell Special Agents how much money his brothers were going to be paid.

-TORRES stated he provided Christian TORRES with approximately one (1) pound of marijuana for assisting in storing narcotics at the residence.

Juan Carlos TORRES was subsequently transported to the Roma Police Department for questioning. At the Police Department TFO I. Guerra advised Juan Carlos TORRES of his Miranda Rights in the Spanish language as witnessed by ICE SA Wargo. Juan Carlos TORRES acknowledged his rights, which he voluntarily waived for purposes of interview by signing a written waiver. During the interview Juan Carlos TORRES stated the following to SA Wargo:

-Juan Carlos TORRES stated he has lived on the property all of his life, but occasionally stays in Miguel Aleman, Mexico.

- Juan Carlos TORRES stated this was the second occasion that narcotics were stored on the property.

- Juan Carlos TORRES stated the marijuana storage operation started approximately one (1) month prior.

- Juan Carlos TORRES stated he was told by Jesus TORRES they would received \$5 per pound to store the marijuana on the property. Juan Carlos TORRES stated he has not received any payment and could not provide an estimate of how much he was owed.
- Juan Carlos TORRES stated earlier that day a blue car delivered marijuana to the property and stored it in the Northern most house.
- Juan Carlos TORRES stated Mauricos TORRES would assist in the marijuana storage operation.
- Juan Carlos TORRES stated Jesus TORRES provided Christian TORRES with a small amount of marijuana to smoke.
- Juan Carlos TORRES stated his brother (Jesus TORRES) is in charge but everybody including Jesus TORRES, Christian TORRES and Maurico\$ TORRES cooperate to store the narcotics on the property.

Christian TORRES was subsequently transported to the Roma Police Department for questioning. At the Police Department TFO Iv Garza advised Christian TORRES of his Miranda Rights in the Spanish language as witnessed by TFO Abel Alanis. Christian TORRES acknowledged his rights, which he voluntarily waived for purposes of interview by signing a written waiver. During the interview Christian TORRES stated the following to TFO Iv Garza:

- Christian TORRES stated he was not responsible for anything found in the residence.
- Christian TORRES stated he went to Corpus Christi a few weeks ago and when he returned the two buildings were loaded with marijuana.
- Christian TORRES stated he smokes marijuana on occasion.
- Christian TORRES stated he is currently on state probation for possession of marijuana.
- Christian TORRES stated his brother (Jesus TORRES) provided him with approximately one (1) pound of marijuana as a gift.
- Christian TORRES stated a pound of marijuana cost approximately \$150-180, and further stated he knew how much marijuana cost because "everyone knows the value."
- Christian TORRES stated both of his brothers commonly have lots of money.

- Christian TORRES stated he took the package of marijuana from the bedroom when he fled because he didn't want the police to find it.

Mauricos TORRES was subsequently transported to the Roma Police Department for questioning. At the Police Department ICE RAC Robles advised Mauricos TORRES of his Miranda Rights in the Spanish language as witnessed by ICE SA Otterson. Mauricos TORRES acknowledged his rights, which he voluntarily waived for purposes of interview by signing a written waiver. During the interview Mauricos TORRES stated the following to RAC Robles:

- Mauricos TORRES stated he illegally entered the United States.
- Mauricos TORRES stated he was hired by Jesus TORRES to scout at the residence for law enforcement so they could bring marijuana to the residence.
- Mauricos TORRES stated Jesus TORRES would pay him \$100 on each occasion he scouted.
- Mauricos TORRES stated the brother started storing marijuana on the property approximately 3 months prior. Mauricos TORRES stated he has been working for his cousins the entire time.
- Mauricos TORRES stated he smoked marijuana approximately two hours before the police arrived at the residence.
- Mauricos TORRES stated he has observed Christian TORRES smoking marijuana at the residence on numerous occasions.
- Mauricos TORRES stated on one occasion he witnessed Juan Carlos TORRES unload a vehicle with the assistance of the load driver.